

This case having duly come on to be heard before me and the attorneys for all parties having advised the court that all claims asserted herein are settled or are in the process of being settled, it is hereby

ORDERED that the above entitled action be and hereby is discontinued with prejudice and without cost to either party. Should settlement not be finalized within sixty (60) days of the date of the Order, any party may apply to have the action reopened, and it is further

ORDERED that the Clerk of the court is instructed to close any pending motions, close this case and remove it from my docket.

SO ORDERED:

New York, New York

Dated:

I hereby-consent to the entry of this proposed order:

Joseph A. Hiesco, Jr.

Julia C.(D)Prete

Attorneys for Plaintiffs

Kasowitz, Benson, Torres & Friedman LLP

1633 Broadway

New York, NY 10019

(212) 506-1700

Steven A. Stadtmauer

Attorney for Defendants

Harris Beach PLLC

100 Wall Street

New York, NY 10005

(800) 685-1429

212-687-0100